

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4451 OF 1995

Omprakash Puranmal Sharma ..Petitioner
V/s.
Bhimrao Gangaram Gholap (Deceased)
Heirs Kashibai B. Gholap & Ors. ..Respondents

Rukmini Khairnar i/by Mr.P.N. Joshi for the Petitioner.

None present for the Respondent.

CORAM : M. S. SONAK, J.

DATE : 06th OCTOBER 2017

P.C.

1. On 11th August 2017 this Court made the following order:-

“1. Mr.Ashitosh Gole, the learned counsel for the respondent on the basis of the instructions from the respondents states that the sole petitioner has already expired.

2. Mr.Pramod Joshi, the learned counsel for the petitioner seeks some time to ascertain the position and if necessary to take steps to bring on record the legal representatives of the petitioner. Stand over to 18th September 2017. However, place the matter on Supplementary Board for directions.

3. *In the meanwhile, if no steps are taken this Court will consider disposing of this petition on the ground of abatement/non-prosecution.”*

2. The Registry's endorsement indicates that till date no steps have been taken. Ms.Rukmini Khairnar, the learned counsel for the petitioner who holds for Mr.P.N. Joshi states that they have made the efforts to contact the petitioner. However, such efforts are not fruitful. In view of the aforesaid, this petition is dismissed for non-prosecution/abatment.

3. Interim order, if any, stands vacated.

(M. S. SONAK, J.)